

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CYNTHIA ANNE DIVEGLIA	:	
formerly CYNTHIA ANNE KAYLOR,	:	
	:	1:CV-00-1342
Plaintiff	:	
	:	(Judge McClure)
v.	:	
	:	
NORTHWESTERN MUTUAL LIFE	:	
INSURANCE COMPANY,	:	
	:	
Defendant	:	

**ORDER # 1**

June 7, 2004

**BACKGROUND:**

A final pretrial/settlement conference was held in chambers on June 3, 2004. Participating, in addition to the undersigned judge, were Archie V. Diveglia, attorney for plaintiff, Cynthia Anne Diveglia, plaintiff, and E. Thomas Henefer, Esquire, attorney for defendant.

**NOW, THEREFORE, IT IS ORDERED THAT:**

1. Jury selection is confirmed for July 6, 2004, in Courtroom No. 1,

Fourth Floor, Federal Building, 240 West Third Street, Williamsport, Pennsylvania, at 10:00 a.m., unless counsel are advised by the court to report at a later time. The parties are not required to be in attendance for jury selection.

2. The court will conduct voir dire. Proposed voir dire questions shall be submitted in writing to the court immediately prior to jury selection.

3. A jury of eight (8) will be selected from a panel of fourteen (14), with each side exercising three peremptory challenges.

4. The verdict must be unanimous, unless otherwise agreed.

5. Counsel shall file with the court at the time of commencement of presentation of the case to the jury (if not already filed) proposed points for charge, proposed verdict slip and a trial brief on any points of law deemed significant.

6. Each counsel shall, at the time of commencement of presentation of the case to the jury, provide the court with an original and two copies of all documentary exhibits, other than photographs, enlargements and portions of lengthy documents not expected to be referred to by witnesses, duly pre-marked, and contained in 3-ring binders. At the conclusion of the trial counsel shall be responsible for assuming custody of all of their respective original exhibits.

7. Trial is estimated to take five (5) days. Presentation of the case to the jury will commence Monday, July 19, 2004 at 10:00 a.m. in Courtroom No. 3,

Third Floor, Federal Building, 240 West Third Street, Williamsport, Pennsylvania.

8. The case is referred to United States Magistrate Judge J. Andrew Smyser for a settlement conference to be held as soon as mutually convenient pursuant to the Middle District Settlement Officer Program under LR 16.9.

s/ James F. McClure, Jr.  
James F. McClure, Jr.  
United States District Judge